

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RACKY RAMCHAIR
95-A-8180

- against -

CJAMES CONWAY, SUPT.

Respondent.

FILED

IN CLERKS OFFICE

NY:

★ OCT 12 2004 ★

ORDER TO SHOW CAUSE

CV-04-4241 (JG)

GLEESON, J.

Upon the petition for issuance of a writ of habeas corpus pursuant to 28 U.S.C. 2254, dated 9/30/04, a copy of which is annexed, it is hereby ORDERED that:

(1) petitioner is granted leave to proceed in forma pauperis;

(2) the Attorney General of the State of New York or, the District Attorney of QUEENS County, as attorney for respondents, show cause before this Court by the filing of a return to the petition, why a writ of habeas corpus should not be issued;

(3) within twenty (20) days of receipt of this order, respondents shall serve a copy of their return on the petitioner herein and file the original thereof with proof of service with the Clerk of this Court;

(4) if the transcript of the trial be available, respondents shall submit such transcript and record to this Court at the time of filing such return;

(5) if copies of petitioner's and the District Attorney's briefs on appeal or in connection with proceedings pursuant to C.P.L. 440 are available, respondents shall submit such records to this Court at the time of filing such return;

(6) petitioner, within twenty (20) days of receipt by him or a copy of the return, shall file his reply, if any, with the Clerk of this Court; and

(7) service of a copy of this Order to Show Cause shall be made by the Clerk of this Court by certified mail, together with a copy of the petition, to the Attorney General of the State of New York, 120 Broadway, New York, New York 10271, and the District Attorney of QUEENS County, and by mailing a copy of this order to the petitioner.

JOHN GLEESON, U.S.D.J.

DATED: Brooklyn, New York
October 8, 2004